



**City of Duluth
Planning Division**

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MEMORANDUM

DATE: June 12, 2013
TO: Chuck Froseth
FROM: Gaby Gerken, Intern
SUBJECT: Adaptive Reuse of Church Buildings

Due to demographic changes, churches throughout the United States are closing their doors. As Americans flock to the suburbs, inner city churches serve smaller congregations and therefore have a reduced income. Many are then forced to close and merge with larger congregations, such as Chester Park United Methodist, which is now vacant and up for sale. Located in a residential neighborhood, the church has struggled to find an appropriate use that is allowed by the current zoning code. This memo examines ideas for adaptive reuse of churches and how these uses relate to zoning.

THE DULUTH UDC

The Duluth Unified Development Chapter is used to protect public safety, health, and welfare while also implementing the goals and objectives of the Comprehensive Land Use Plan. It lays out all of the rules and provisions for everything from street signs to mixed use development. Chester Park United Methodist Church is in a Residential-Traditional (R-1) neighborhood. The R-1 district is meant "to accommodate traditional neighborhoods of single-family detached residences, duplexes, and townhouses on moderately sized lots." The permitted uses and special uses allowed in this zone are listed below:

Permitted Use

Dwelling, one-family
Dwelling, two-family
Residential care facility (6 or fewer)
Park, playground, or forest reserve
School, elementary
Agriculture, urban
Day care facility, small (14 or fewer)

Special Use

Dwelling, townhouse
Co-housing facility
Residential care facility (7 or fewer)
Cemetery or mausoleum
Government building
or public safety facility
Museum, library, or art gallery
Religious assembly
School, middle or high
Bed and breakfast
Preschool
Day care facility, large (15 or more)

While there may appear to be many different uses for this area, the building and the neighborhood make it difficult to find the right use. This challenge could be repeated in other residential areas as more churches close. Appendix 1 lists all churches in Duluth that are zoned R-1. Out of 121 churches, 70 are in an R-1 zone.

ADAPTIVE REUSE

Churches are an important part of a community, and modern projects often destroy them in the name of progress and change. Adaptive reuse means taking an existing, underused building such as a church and converting it into a new use. For example, a church in the Netherlands was once used as a bike garage, and today is a bookstore complete with coffee shop and reading area (see Figure 1 and 2). Another creative example is a church in Kentucky that was converted into a brewery (see Figure 3). Other uses include office space, arts or event center, and a theatre (Figure 4-7). Adaptive reuse is more sustainable because a new building will require materials and green space, whereas a reused building only needs to be modified.

For the most part, a building with a small square footage is best suited as an office or retail space, and a building with a large square footage is best used as a residential space. The larger the building, the more units you can install and the more income you can make. However, office space is easier and cheaper to make than apartments or lofts. Offices can usually take advantage of the walls and rooms already in place (or easily install glass walls and partitions), whereas an apartment has many rules and regulations about lighting and square footage. The down side of both of these options is that there is less preservation due to structural changes to the building. For example, stained glass windows often need to be removed and replaced with clear glass. From the point of view of the church, it is nice to have a use that is reversible. For example, a museum would not require much change to the structure, and it could easily be converted back into a church should it be needed again.

THE DULUTH COMPREHENSIVE PLAN

The comprehensive plan lists twelve governing principles that are meant to guide the plan process as well as the implementation of it in the future. Principle #1- reuse of previously developed lands, states that the:

“reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and is preferred to a dispersed development pattern with attendant alteration of natural landscapes and extensions of public services. Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets, utilities, and transit, fire and police services”

Other principles that pertain to the adaptive reuse of buildings in Duluth include #5- strengthen neighborhoods, #6- reinforce the place specific, #8 encourage mix of activities, uses and densities, and #10- take sustainable actions. By allowing the reuse and preservation of buildings, Duluth would help to keep the neighborhood feel that is seen all throughout the city. According to the plan, “neighborhood- oriented commercial uses reinforce local identity in ways that regional commercial or auto-oriented commercial centers do not.” The mix of uses that would come from these buildings would further strengthen neighborhoods while also increasing sustainability since there is no need to lose green space or use additional materials.

WHAT HAVE OTHER CITIES DONE?

Land use regulations make it difficult to reuse properties, and zoning regulations also constrain uses. Consequently, in order to adaptively reuse buildings, cities have created exemptions and amendments.

Rochester, Minnesota, has a section of their zoning code that specifically deals with the adaptive reuse of buildings in a residential district. For the most part it is meant for any historically listed property, but educational and religious buildings are also included. Through this, uses that are not normally permitted, or uses that exceed the existing zoning standards, may be approved. This is done because the city recognizes that there may be economic hardship in reusing these buildings and making them efficient. As long as there is no expansion made to the building, the building is preserved, and the neighborhood feel is not changed, then offices, retail, and other uses are permitted (see Appendix 3). This provides a way to easily reuse buildings such as churches in a variety of ways, while still preserving the neighborhood and building itself. Currently Rochester has completed one Type III reuse (see Appendix 3), where an old school was expanded by the Boys and Girls club.

Other cities have similar codes to Rochester. Pensacola, Florida, issues conditional use permits for reuse in residential districts, and permits any type of residential development, childcare facilities, banks, office space, restaurants, retail, and fitness centers. Frederick, Maryland, also

has a comparable part in their zoning code. It allows for a higher amount of development in certain areas, except in a low-density (such as Duluth's R-1 district) zone.

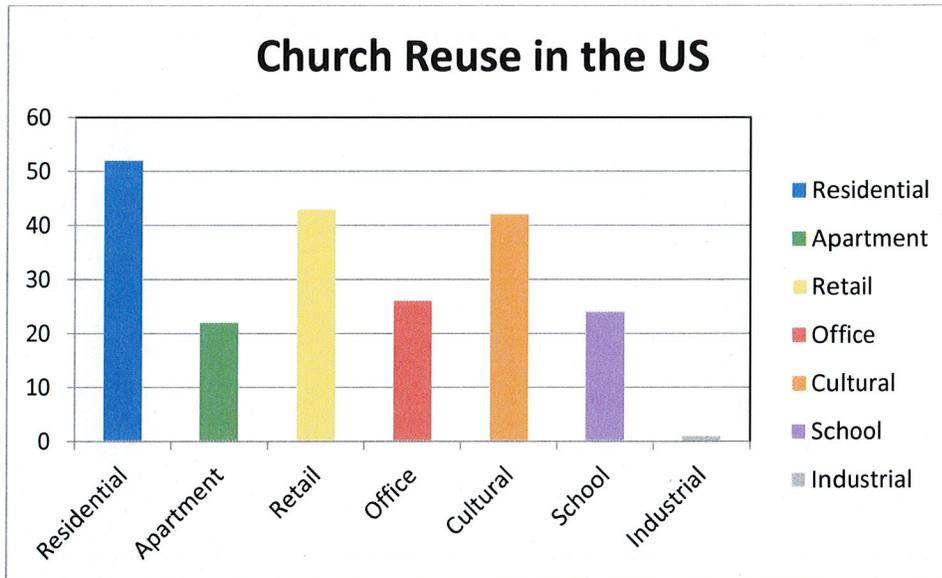
Another example of making exceptions to the existing zoning code comes from Cleveland Heights, Ohio. Here, the City Council passed an ordinance to allow regulations for the adaptive reuse of non-residential buildings in a residential district. This makes it easier to change because there is no need to rezone. There are some standards to this though, as retail and manufacturing are not allowed. However, multi-family dwellings, office space, industrial design, recreation and education classes are all allowed provided they are compatible with the district. Citizens were concerned over the type of businesses that would be allowed in these buildings. Because of this the Planning Commission will decide if the business or organization should receive a conditional use permit, and if it is granted they monitor it to make sure that it is not negatively impacting the neighborhood and city. Residents can then give their opinions at the meetings, similar to how Duluth's system works.

In 1999 Los Angeles, California, dramatically changed its downtown by passing an adaptive reuse ordinance, and in 2003 expanded this to surrounding neighborhoods. This ordinance creates a lot of flexibility in the approval and permit process. For example, any building constructed before July 1 of 1974 is automatically allowed into the program. All that is required is a building permit and a public hearing is not needed. They have also made a lot of other exceptions to zoning regulations by allowing non-conforming floor areas, setbacks, and height. These are all grandfathered into the program. Since the program was started in 1999, over 6,500 projects are complete or under construction, providing over 46,000 residences. LA is a great example of how historic preservation can create economic revitalization. It has successfully transformed its downtown district and has taken advantage of mixed use development in order to maintain the old neighborhood feel. While this may not deal with churches or residential districts specifically, it is a great example of an adaptive reuse ordinance. See Figure 8 for a map of incentive areas within the City of Los Angeles.

Some cities have specific overlays and districts that allow adaptive reuse within them. Los Angeles did this by initially applying their ordinance to the downtown area. Easton, Pennsylvania, has five adaptive reuse districts. In these districts there are a wide variety of permitted uses that are listed in Figure 9. These range from amusements, hardware, residential, restaurants, depot, and timber harvesting (see Appendix 4).

One problem with reuse is that churches can control whom they sell too, and sometimes how the new owners will use it. Catholic churches usually pose such a problem. For example, in New York City the archdiocese will not sell to public schools because they teach sex education. Another example comes from St. Louis, where a former church was turned into a theater. It was almost barred from showing its first performance, "Sex, Drugs, and Rock and Roll", because the deed said that they could not entertain for an "adult audience rather than the general public".

Overall, 210 religious spaces have been reused in the United States, spread out between residential to industrial uses.



Simons, Robert, Ph.D. 2010. "Adaptive Reuse of Churches in the US: Market and Financing Issues." Levin College Forum Series. Available at http://urban.csuohio.edu/forum/events/powerpoints/04_20_10_forum/simons.pdf

RECOMMENDATIONS

Duluth should consider amending the UDC to allow for adaptive reuse of existing buildings that are listed on the historic register (Duluth of National), or were previously constructed as an educational or religious building. A Special Use or Interim Use Permit would have to be applied for and a new authorization process would need to be created. This would allow for a variety of uses that are not normally accepted in residential districts as long as the building is not expanded, it is preserved, and the neighborhood feel is not changed.

Use specific standards will be needed to maintain the neighborhood feel. Traffic, parking, and screening must be examined, and the hours of operation will all need to be consistent with the neighborhood. The building will also need to be preserved, which may lead to exemptions in the building code for adaptive reuse structures, as contemporary building regulations are often incompatible with older structures. A factor that may need to be considered is the date of construction. For example, buildings built prior to 1975 could be applicable.

Appropriate uses for each district will need to be looked at as well. In a residential district, appropriate uses may be: multi-family housing; cultural centers (art classes, museums, galleries, libraries, event space, etc.); offices space; fitness centers; bed and breakfasts; day care centers (for over 14 children); or a bookstore. A mixed use and form district will have different uses which may include restaurants and an event center in addition to those uses listed above.

FIGURE 1 AND 2: BIKE GARAGE, BOOKSTORE

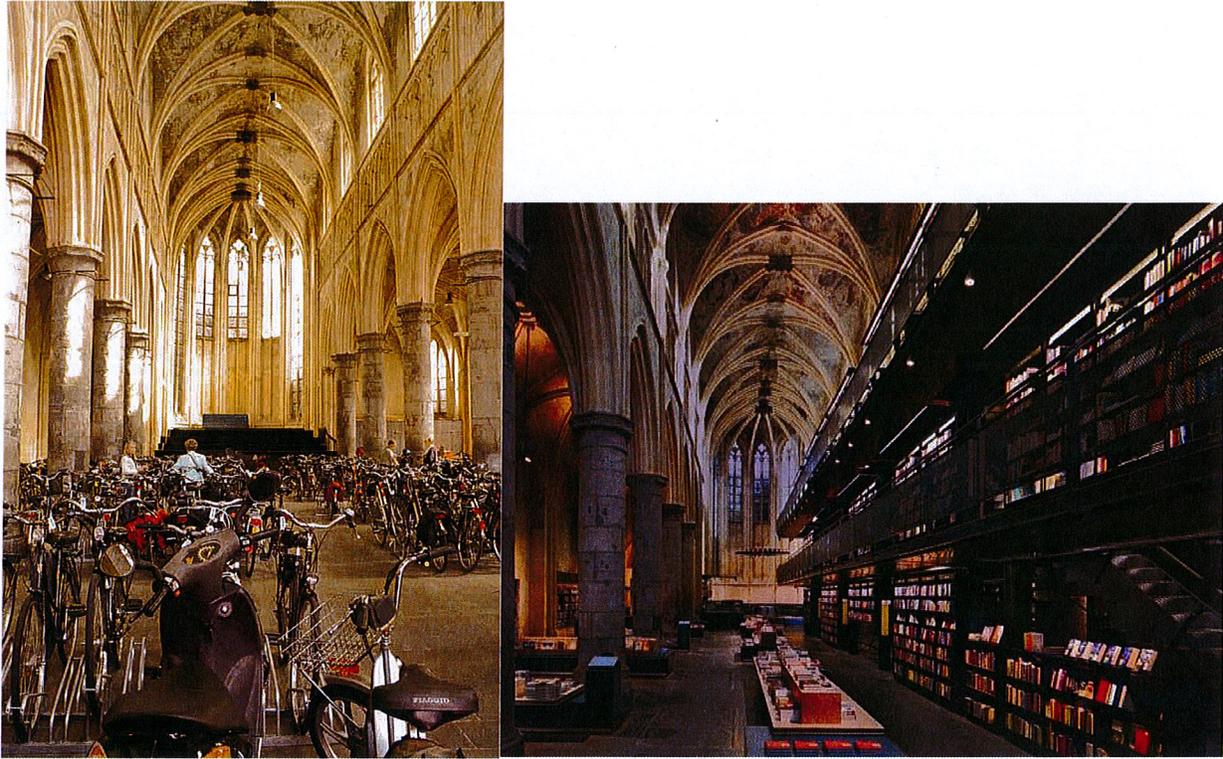


FIGURE 3: HOLY GRALE BREWERY- LOISVILLE, KY



FIGURES 4-7: ART STUDIO, EVENT CENTER, OFFICE SPACE, THEATRE

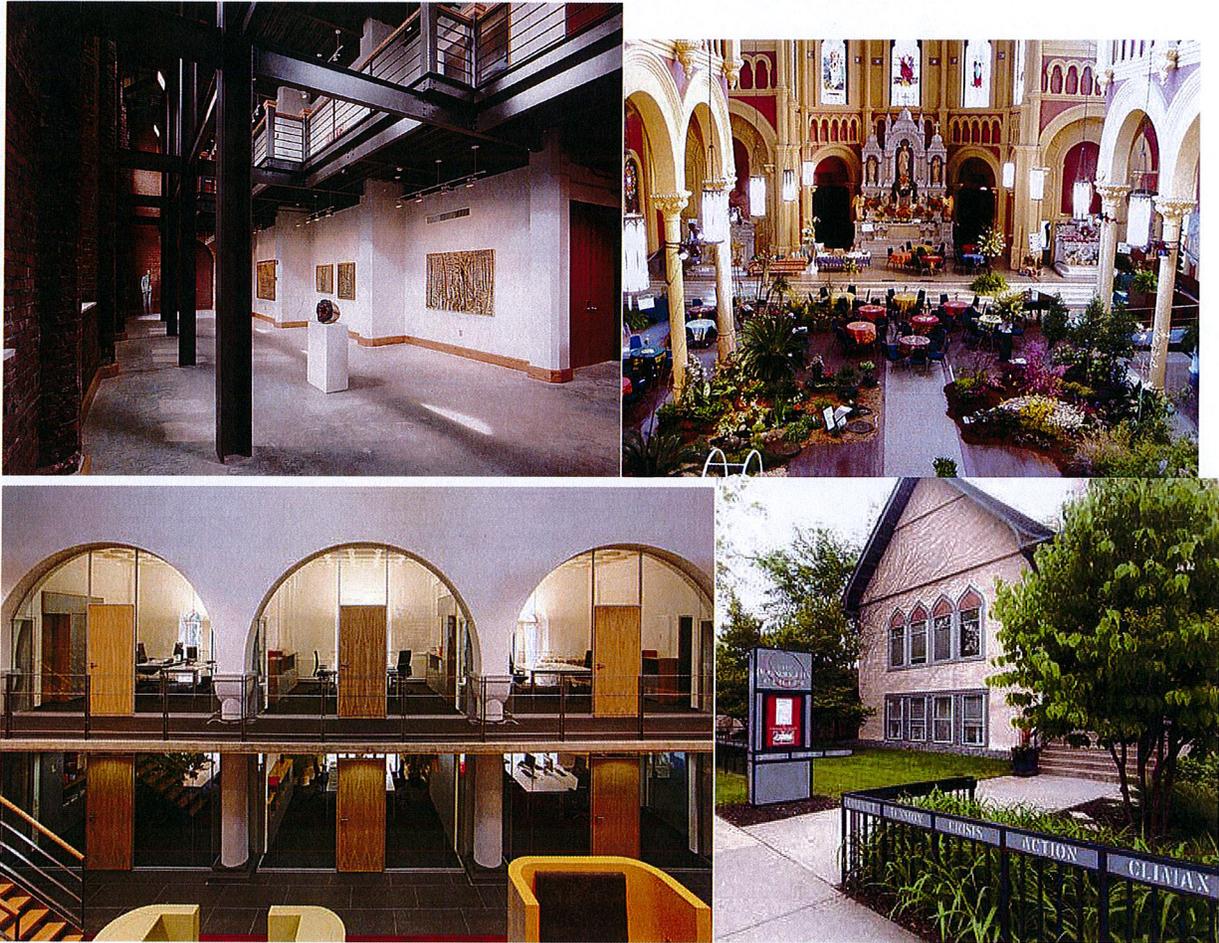
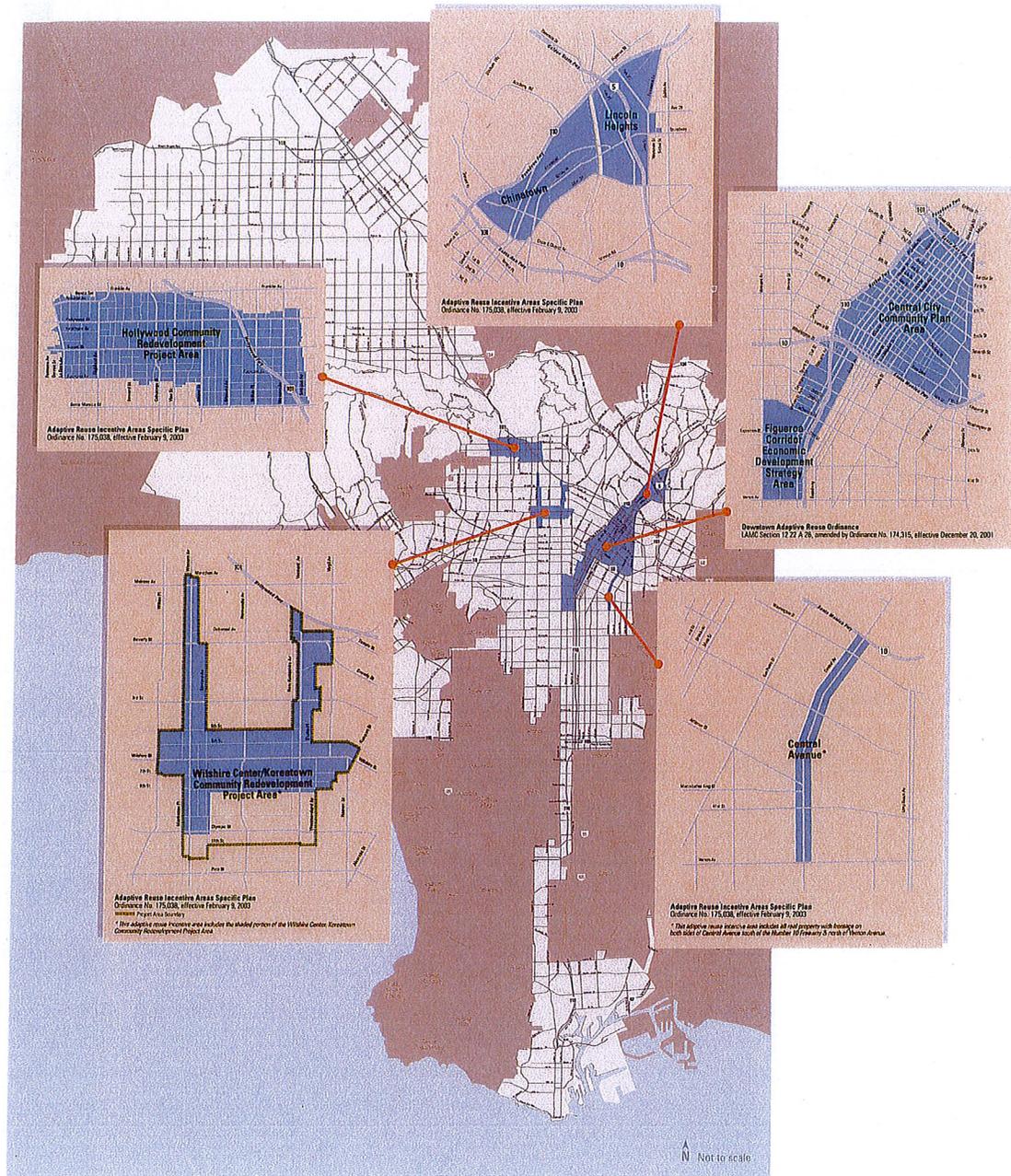


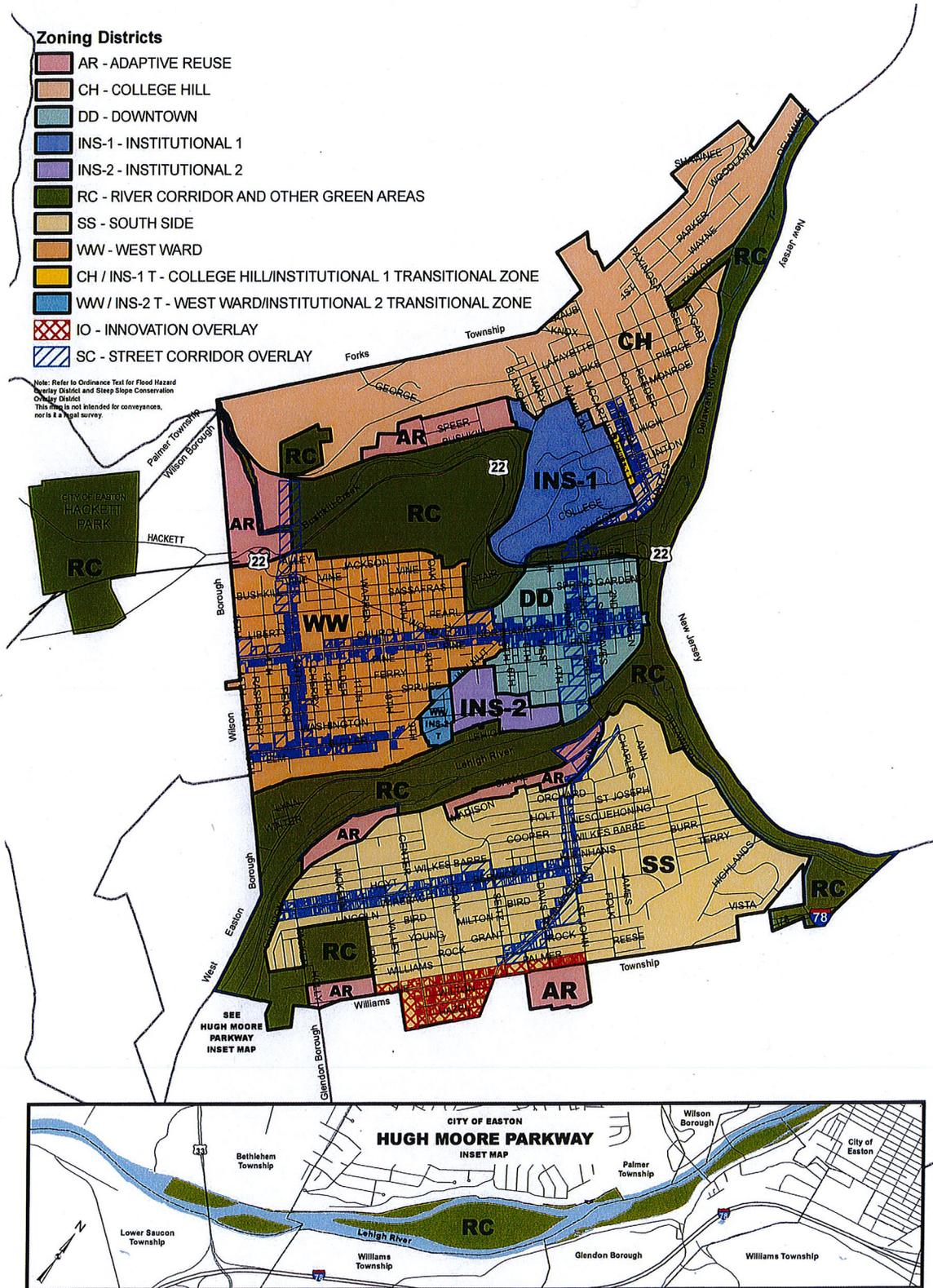
FIGURE 8: ADAPTIVE REUSE INCENTIVE AREAS- LOS ANGELES, CA



Adaptive Reuse Incentive Areas In the City of Los Angeles

Prepared by City of Los Angeles Planning Department • Graphic Services Section • May, 2007

FIGURE 9: ADAPTIVE REUSE DISTRICT- EASTON, PN



APPENDIX 1: DULUTH CHURCHES

R-1 Zone

- Haven Church 9030 Beaudry St.
- Living Stones Fellowship 115 W Myrtle St
- Eastridge Community Church 3743 Crescent View Ave.
- Streams of Life Ministries 332 N 40th Ave W
- Our Lady of Mercy 2002 Minnesota Ave
- Cathedral of Our Lady-Rosary 2801 E 4th St
- Church of Jesus Christ of Latter Day Saints 521 Upham Rd
- Lakeside Presbyterian Church 4430 McCulloch St
- Jesus Is Life Ministries Church 501 N 57th Ave W
- Our Savior's Evangelical Lutheran 4825 Grand Ave
*And MU-N
- Elim Lutheran Church 6101 Cody St
- First United Methodist Church 230 E Skyline Pkwy
- Peace United Church of Christ 1111 N 11th Ave E
- Holy Cross Lutheran Church 410 Arlington Ave
*And R-2 (Parking Lot)
- St. John's Church 3 W Chisholm St
- Fond Du Lac Community Church 521 131st Ave W
- Northstar Baptist Church 1315 S Arlington Ave
- Duluth Church of Christ 2344 Nanticoke St
- Pilgrim Congregational Church 2310 E 4th St
- Mt of Olives Baptist Church 1500 Swan Lake Rd
- St. John's Free Lutheran Church 3601 W Arrowhead Rd
- Duluth Congregational Church 3833 E Superior St
- Lutheran Church- Good Shepherd 1325 N 45th Ave E
- Mt Olive English Lutheran Church 2410 Morris Thomas Rd
- Concordia Lutheran Church 2501 Woodland Ave
- St. James Catholic Church 721 N 57th Ave W
- Bethany Baptist Church 6700 Grand Ave
- Trinity Lutheran Church 1108 E 8th St
- Heritage Baptist Church 2015 Rice Lake Rd
- St. Andrew's By-The-Lake 2802 Minnesota Ave
- Kenwood Lutheran Church 2720 Myers Ave
- Hope United Methodist Church 301 W Saint Marie St
- Duluth Bible Church 201 W Saint Andrews St

- Salem Covenant Church 339 N 59th Ave W
- Asbury United Methodist Church 6822 Grand Ave
- Anchor Point Community Church 5202 Colorado St
- Invite God Ministries 660 Everett St
- First Love Full Gospel Church 410 N 78th Ave W
- Alliance Community Church 2621 W Arrowhead Rd
- Catholic Diocese of Duluth 2830 E 4th St
- Seventh- Day Adventist Church 3210 Decker Rd
- St. Mary Star of the Sea 2002 Minnesota Ave
- Lutheran Campus Ministry 321 Gold St
- Holy Angels Catholic Church 3646 E 3rd St
- *House
- Bethel Baptist Church 3743 Crescent View Ave
- *House
- Lakeview Covenant Church 1001 Jean Duluth Rd
- Church Christ Temple 330 N 59th Ave W
- Abundant Life Tabernacle 5919 Bristol St
- *House?
- Hawk Ridge Church of Christ 4401 Glenwood St
- Kirk of The Lake Presbyterian 3210 Decker Rd
- Calvary Baptist Church 432 E 6th St
- Glen Avon Presbyterian 2105 Woodland Ave
- Faith Lutheran N 51st Ave E & Glenwood
- Redeemer Lutheran Church 9503 Grand Ave
- St. George Serbian Orthodox 1216 104th Ave W
- St. Lawrence Church 2404 Morris Thomas Rd
- St. Elizabeth's Church 610 99th Ave W
- St. Elizabeth's Church Education Center 622 99th Ave W
- Church of Christ 4801 Cooke St
- Christ Lutheran Church 2415 Ensign St
- First Church- Christ Scientist 1731 N 43rd Ave E
- Lake Superior Interfaith Community 1414 E 9th St
- St. Joseph's Church of Duluth Ebony & Lindon
- Hillside United Methodist Church 1801 Piedmont Ave
- Emmanuel Baptist- Duluth Heights 1505 Eklund Ave
- Apostolic Gospel Church 3882 Haines Rd
- Faith Lutheran Church 1814 N 51st Ave E
- Norton Park United Methodist 436 N 79th Ave W

- Unitarian Universalist Congregation 835 W College St
* Church building is R-2
- Chester Park United Methodist Church 819 N 18th Ave E

APPENDIX 2: DULUTH SCHOOLS

Elementary

- Congdon Park 3116 E Superior St
- Homecroft 4784 Howard Gnesen Rd
- Lakewood 5207 N Tischer Rd
- Laura MacArthrr 720 N Central Ave
- Lester Park 5300 Glenwood
- Lowell 2000 Rice Lake Road
- Nettleton 108 E 6th St
- Piedmont 2827 Chambersburg Ave
- Stowe 715 101st Ave W

Middle

- Lincoln Park Middle School 3215 W 3rd St
- Ordean E Middle School 2900 E 4th St

High

- East High High School 301 N 40th Ave E
- Denfeld High School 401 N 44th Ave W

Private and Charter

- Kenwood Primary Elementary Academy 1750 Kenwood Ave
- Duluth Edison Charter Schools 3301 Technology Dr
- Harbor City International School 332 W Michigan St Suite 300
- Raleigh Edison Charter School 5905 Raleigh St
- Lakeview Christian Academy 155 W Central Entrance
- Stone Ridge Christian School 115 E Orange St
- Summit School 1600 N 8th Ave E
- St. James Catholic School 715 N 57th Ave W
- St. Michaels Montessori Preschool 4628 Pitt St
- St. John's School 1 W Chisholm St

- Montessori School of Duluth
- Holy Rosary School
- Marshall School

1532 E 8th St
 2802 E 4th St
 1215 Rice Lake Rd

APPENDIX 3: ADAPTIVE REUSE- ROCHESTER, MN

62.740 ADAPTIVE REUSE, CULTURAL BUILDINGS

The development of any building, structure or area listed on the National Register of Historic Places, or any locally established register of historic sites or buildings, or the development of any building originally constructed for educational or religious purposes, where the reuse of the property involves uses not normally permitted in the underlying zoning district or permitted uses at an intensity exceeding the standards of the underlying district. Special regulations are applied to this type of reuse because of the difficulty present in adapting these structures to allow economic and efficient use of the property.

62.741

Type I Adaptive Reuse Development: The following types of Adaptive Reuse are permitted through the Type I procedure:

1. In any residential district, the adaptation of a structure for use as residential dwelling units or the development of a social service such as a day care, or senior citizens center, where the development does not involve any expansion to the existing structure and the zoning administrator determines that parking needs can be met by the existing off-street parking area provided. The zoning administrator may impose conditions related to landscaping and bufferyards similar to those required for new Area Accessory uses, as described in Section 62.930.
2. In any nonresidential district, the adaptation of the structure for any Type I use permitted in the underlying zoning district.

62.742

Type II Adaptive Reuse Development: The following types of Adaptive Reuse are permitted through the Type II procedure:

1. In any residential district, adaptation of a structure for any of the uses listed and as regulated by Paragraph 62.723 may be considered through the Type II procedure where the development does not involve any expansion to the existing structure, it is located along a major local or higher order street, and other applicable ordinance requirements, such as appearance controls and parking requirements, are satisfied.
2. In any nonresidential district, adaptation of the structure for any Type II use permitted in the underlying zoning district.

62.743

Type III Adaptive Reuse Development: All other Adaptive Reuse developments are considered Type III developments. In addition to the criteria in Paragraph 62.708, the Council shall also find that:

1. The proposed adaptive use of the building or site will lead to its continued preservation and improvement in an appropriate manner while retaining the integrity of the neighborhood.
2. Any new structures will be in keeping with the character of the building or site.

62.723

Mixed Use Development, R-1 R-1x, and R-2: In an R-1, R-1x, or R-2 District or upon any lot which is adjacent to an R-1, R-1x or R-2 District, a mixed use development may be approved as a Type II use if it satisfies the following criteria:

1. Permitted Use Types:

Office	Day Care
Repair & Maintenance Shops	Personal Services
Retail	Agricultural

2. The development does not exceed the standards listed in Paragraph 62.722.
3. The development is located along a collector or higher order street.
4. The appearance standards applicable to nonresidential uses permitted in the underlying district are satisfied.
5. The nonresidential buildings and parking are:
 - a. separated from existing one family dwellings by a distance of 200' or by residential buildings in the proposed development, or
 - b. separated from existing one family dwellings by a freeway or expressway, or
 - c. adjacent to uses on the same block or across the street which are nonresidential, institutional, or multifamily, or land which is vacant and zoned for such use.
 - d. isolated from adjacent one family dwellings by significant topographical features such as elevation changes, ravines or water courses.
6. Other uses not listed in this section, with the exception of a manufactured home park, may be considered for approval as Type III uses, excluding uses requiring conditional use permit under the provisions of section 62.1100

62.708 Criteria for Type III Developments:

Subdivision 1. The Commission and Council shall approve a type III incentive development plan if it determines the plan satisfies all of the Preliminary Development Plan findings provided in subdivision 2 and all of the Final Development Plan findings provided in subdivision 3.

Subd. 2. The findings for the approval of a Preliminary Type III Development Plan are as follows:

- A. **Capacity of Public Facilities:** The existing or future planned utilities in the area are adequate to serve the proposed development.
- B. **Geologic Hazards:** The existence of areas of natural or geologic hazard, such as unstable slopes, sinkholes, floodplain, etc., have been identified and the development of these areas has been taken into account or will be addressed in the Phase II plans.
- C. **Natural Features:** For developments involving new construction, the arrangement of buildings, paved areas and open space has, to the extent practical, utilized the existing topography and existing desirable vegetation of the site.
- D. **Residential Traffic Impact:** When located in a residential area, the proposed development:
 - 1. Will not cause traffic volumes to exceed planned capacities on local residential streets;
 - 2. Will not generate frequent truck traffic on local residential streets; and
 - 3. Will not create additional traffic during evening and nighttime hours on local residential streets.
- E. **Traffic Generation Impact:** : Anticipated traffic generated by the development will not cause the capacity of adjacent streets to be exceeded, and conceptual improvements to reduce the impact of access points on the traffic flow of adjacent streets have been identified where needed.
- F. **Height Impacts:** For developments involving new construction, the heights and placement of proposed structures are compatible with the surrounding development. Factors to consider include:
 - 1. Will the structure block sunlight from reaching adjacent properties during a majority of the day for over four months out of the year; and;
 - 2. Will siting of the structure substantially block vistas from the primary exposures of adjacent residential dwellings created due to differences in elevation.
- G. **Setbacks:** For developments involving new construction, proposed setbacks are related to building height and bulk in a manner consistent with that required for permitted uses in the underlying zoning district.
- H. **Internal Site Design:** For developments involving new construction, the preliminary site layout indicates adequate building separation and desirable orientation of the buildings to open spaces, street frontages or other focal points.
- I. **Screening and Buffering:** The conceptual screening and bufferyards proposed are adequate to protect the privacy of residents in the development or surrounding residential areas from the impact of interior traffic circulation and parking areas, utility areas such as refuse storage, noise or glare exceeding permissible standards, potential safety hazards, unwanted pedestrian/bicycle access, or to subdue differences in architecture and bulk between adjacent land uses.
- J. **Ordinance Requirements:** The proposed development includes adequate amounts of off-street parking and loading areas and, in the case of new construction, there is adequate landscaped area to meet ordinance requirements.

- K. **General Compatibility:** The relationship of the actual appearance, general density and overall site design of the proposed development should be compared to the established pattern of zoning, the character of the surrounding neighborhood and the existing land forms of the area to determine the general compatibility of the development with its surroundings.
- L. **Non-Vehicular and Alternate Modes of Travel:** The proposed development incorporates pedestrian oriented-space, provides direct and convenient pedestrian access to the building entrance(s) from public trails, public sidewalks, and on or off-site parking areas, incorporates appropriated pedestrian safety features, provides convenient pedestrian access for transit patrons, or, if appropriate, access for transit vehicles, and provides adequate bicycle access. Consideration shall also be given, to providing designated motorized scooter parking if appropriate to the context of the development (the use, location, type of individuals served).

Subd. 3. The findings for the approval of a Final Type III Development Plan are as follows:

- A. **Public Facility Design:** The design of private and public utility facilities meet the requirements and specifications which the applicable utility has adopted.
- B. **Geologic Hazard:** Engineering means to deal with areas of geologic hazard have been incorporated into the development plan or such areas have been set aside from development.
- C. **Access Effect:** Ingress and egress points have been designed and located so as to:
 - 1. Provide adequate separation from existing street intersections and adjacent private driveways so that traffic circulation problems in public right-of-ways are minimized; and
 - 2. Not adversely impact adjacent residential properties with factors such as noise from accelerating or idling vehicles or the glare of headlights from vehicles entering or leaving the site.

In addition, where the preliminary development plan identified potential problems in the operation of access points, plans for private improvements or evidence of planned public improvements which will alleviate the problems have been provided.

- D. **Pedestrian Circulation:** The plan includes elements to assure that pedestrians can move safely both within the site and across the site between properties and activities within the neighborhood area, and, where appropriate, accommodations for transit access are provided.
- E. **Foundation and Site Plantings:** A landscape plan for the site has been prepared which indicates the finished site will be consistent with the landscape character of the surrounding area.
- F. **Site Status:** Adequate measures have been taken to insure the future maintenance and ownership pattern of the project, including common areas, the completion of any platting activities, and the provision of adequate assurance to guarantee the installation of required public improvements, screening and landscaping.

- G. **Screening and Bufferyards:** The final screening and bufferyard design contains earth forms, structures and plant materials which are adequate to satisfy the needs identified in preliminary development plan for the project
- H. **Final Building Design:** The final building design is consistent with the principles identified in preliminary development plan relative to Height Impact, Setbacks, and Internal Site Design.
- I. **Internal Circulation Areas:** Plans for off-street parking and loading areas and circulation aisles to serve these areas meet ordinance requirements in terms of design.
- J. **Ordinance Requirements:** The proposed development is consistent with the requirements of the underlying zoning district for similar uses in regards to signage and other appearance controls, and with general standards such as traffic visibility and emergency access.
- K. **Non-Vehicular and Alternate Travel Modes:** The proposed development incorporates pedestrian oriented-space, provides direct and convenient pedestrian access to the building entrance(s) from public trails, public sidewalks, and on or off-site parking areas, incorporates appropriated pedestrian safety features, provides convenient pedestrian access for transit patrons, or, if appropriate, access for transit vehicles, and provides adequate bicycle access. Consideration shall also be given, to providing designated motorized scooter parking if appropriate to the context of the development (the use, location, type of individuals served).

APPENDIX 4: ADAPTIVE REUSE DISTRICT- EASTON, PN

A. Uses permitted by right in the Adaptive Reuse District are as follows:

- (1) A1 Single-family detached dwelling.
- (2) A2 Single-family semidetached dwelling.
- (3) A3 Single-family attached dwelling.
- (4) A8 Residential lowrise.
- (5) A9 Residential midrise.
- (6) A10 Residential highrise.
- (7) A12 Mixed residential/business.
- (8) B1 Cultural activities and exhibitions.
- (9) B2 Amusements.
- (10) B3 Parks.
- (11) C1 Shopping gallery.
- (12) C2 Hardware.
- (13) C3 General merchandise.
- (14) C5 Eating and drinking places.
- (15) C7 Furniture and other furnishings.
- (16) C8 Wholesale trade.
- (17) C9 Motor vehicle sales.
- (18) C10 Auto parts and accessories.

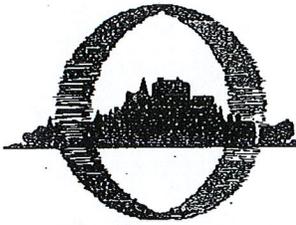
- (19) C11 Liquid fuels.
- (20) D5 Repair services.
- (21) D6 Professional services.
- (22) D7 Administrative offices.
- (23) F1 Trade contractors.
- (24) F2 Food processing.
- (25) F3 Furniture and other furnishings manufacture.
- (26) F4 Publishing.
- (27) F5 Textile mill products.
- (28) F6 Apparel, finished products.
- (29) F7 Lumber and wood products.
- (30) F8 Warehouse and storage.
- (31) F9 Computers and electronics.
- (32) F10 Cottage industry.
- (33) H1 Passenger depot.
- (34) H2 Freight depot.
- (35) H3 Parking lot/structure.
- (36) H4 Utilities.
- (37) I1 Accessory amusement.
- (38) I2 Accessory offices.
- (39) I3 Accessory structure.
- (40) I4 Temporary structure.
- (41) I5 Accessory storage.
- (42) I6 Accessory parking area.
- (43) I7 Accessory swimming pool.
- (44) I8 Accessory religious shelter.
- (45) I11 No-impact home-based business.
- (46) J1 Timber activities (in accordance with Article XXXI, Supplemental Standards).
- (47) J2 Timber harvesting operation (in accordance with Article XXXI, Supplemental Standards).

A. Special exception uses are as follows:

- (1) B5 Adult entertainment.
- (1.1) D 12 Check-cashing facility.[Added 6-24-2009 by Ord. No. 5210]
- (1.2) D 13 Pawnshop.[Added 6-24-2009 by Ord. No. 5210]
- (2) E1 Educational services.
- (3) G1 Outdoor storage area.
- (4) G2 Chemical industries.
- (5) G3 Petroleum industries.
- (6) G4 Plastics and rubber industries.
- (7) G5 Stone, clay and glass industries.
- (8) G6 Primary metal industries.
- (9) G7 Fabricated metal industries.
- (10) G8 Recycling collection facility.
- (11) G9 Recycling processing facility.

- (12) G10 Salvage yard.
- (13) G11 Solid waste disposal facility.
- (14) H5 Communications facility.

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ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

www.co.olmsted.mn.us/departments/planning

COUNTY OF

Olmsted



TO: City Planning & Zoning Commission

FROM: Brent Svenby, Senior Planner

DATE: November 5, 2010

RE: Type III, Phase II Adaptive Reuse Plan R2010-026CUP by the Boys and Girls Club of Rochester/CCRR Head Start Partnership. The applicant is proposing to reuse and expand the existing educational building. The proposal involves the vacation of the 10th Avenue SE, an building addition to the south and the development of a parking area on the 2 properties located along the west side of 10th Avenue SE. The property is located along the south side of East Center Street, along the west side of 11th Ave. SE and along the north side of 1st St. SE.

Planning Department Review

Applicant: Boys & Girls Club of Rochester
Child Care Resource & Referral Headstart Partnership
1026 East Center Street
Rochester, MN 55904

Architect: CRW architecture+design group
717 Third Avenue SE
Rochester, MN 55904

Consultant: Yaggy Colby Associates
717 Third Avenue SE
Rochester, MN 55904

Property Location: The property is located along the south side of East Center Street, along the west side of 11th Ave. SE and along the north side of 1st St. SE.

Zoning: The entire site is zoned R-1 (mixed single family) except for the parcel in the northwest corner which is zoned R-2 (low density residential) on City of Rochester Zoning map.

Adjacent Zoning and Land Use: To the east, across 11th Avenue SE, is property zoned R-1 (Mixed Single Family) and consists of single family dwellings and duplexes. 11th Avenue SE is designed as a Major Urban Arterial on the ROCOG Thoroughfare Plan.



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To the north, across East Center Street, is property zoned R-2 (Low Density Residential) consisting of single family dwellings and duplexes. East Center Street is designed as a Secondary Urban Arterial on the ROCOG Thoroughfare Plan.

To the west is single family dwellings/duplexes located in the R-1 (Mixed Single Family) and R-2 (Low Density Residential) zoning district.

The south, across 1st Street SE, is single family dwellings/duplexes located in the R-1 (Mixed Single Family) zoning district.

Referral Agency Comments: Attached

Attachments: Location Map
Site Plan
Referral Comments
Narrative

SUMMARY OF PROPOSED DEVELOPMENT:

The applicant is proposing the demolition of some of the structures on the property as well as the construction of additional building square footage for the development of the Boys and Girls Club of Rochester and Child Care Resource and Referral campus on the property. The property consists of Holmes School site which the Boys and Girls Club entered into a purchase agreement with ISD 535 in 2002. The existing Holmes School building was built in three different stages. The original building was constructed in 1924 with additions constructed in 1954 and 1964. The Boys and Girls Club has been operating out of this location since 2002 and has made the necessary improvement to keep the facility in good operating condition. In 2005, the Boys and Girls Club looked to partnership with Child Care Resource and Referral (CCRR) in developing a joint facility since both operations are a youth service organization. Since 2005, CCRR has purchased the two properties directly across 10th Avenue SE from the club, creating the opportunity for additional space to allow the facility to expand.

The proposal plans for the demolition of the 1924 building, which has been deemed structurally compromised and un-inhabitable, and replacing it with gymnasium. The portion of the building constructed in 1954 would be reused by replacing the cracked brick and inefficient windows with new brick, aluminum panels and more energy efficient window wall system. The portion of the building constructed in 1964 would be re-used and re-purposed to fit the needs of the agency. The plan also proposes the construction of a single story 13,000 square footage classroom wing along the east side of the property in the area presently occupied by a paved play area. The addition is setback the same distance that the current 1964 portion of the building is to 11th Avenue SE. and is setback approximately 17 feet from the south property line.

Other proposed site modifications includes the vacating of 10th Avenue SE between East Center Street and 1st Street SE to allow for the construction of a parking lot on the west end of the development. There is a large bus drop off area within the right-of-way of 1st Street SE to serve CCRR.

EXPLANATION OF APPLICATION AND REVIEW PROCEDURE:

Section 62.740 of the Zoning Ordinance and LDM allows for the adaptive reuse of cultural buildings. In this case, the building was originally constructed for educational purposes and the proposed use is a permitted use however it is at an intensity exceeding the standards of the underlying district. The ordinance states that special regulations are applied to this type of reuse because of the difficulty present in adapting these structures to allow economic and efficient use of the property.

The Adaptive Reuse Developments are either permitted through a Type I, II or III procedure. This proposal falls under the Type III procedure since it involves expansion of the existing structure. The criteria used for the review of the proposal are the criteria found in Section 62.708 for Restricted Developments. In addition, Council shall also find that:

- 1) The proposed adaptive use of the building or site will lead to its continued preservation and improvement in an appropriate manner while retaining the integrity of the neighborhood.
- 2) Any new structures will be in keeping with the character of the building or site.

CRITERIA & ANALYSIS:

Sections 62.708 and 62.743 of the Zoning Ordinance set forth the standards upon which this Adaptive Reuse is to be evaluated. Since this is a Type III review, there would consist of a preliminary plan and final plan approval review. The Council shall approve a preliminary plan if it finds that the development has addressed and satisfied all of the applicable criteria, or that a practical solution consistent with the public interest can be incorporated into the final plan. Please see the attached excerpt from the Rochester Zoning Ordinance and Land Development Manual for the applicable criteria.

The staff suggests the following findings for each of the criteria on which the Preliminary Development Plan is to be evaluated:

- a) **Capacity of Public Facilities:** *City sewer and water, and other utilities are available to serve the site. Final utility construction plans with profiles will need to be approved by the various agencies and conform to standard City of Rochester requirements. All unused water services to this property must be abandoned properly at the main in the street with the curb/valve boxes removed per the requirements of RPU.*
- b) **Geologic Hazards:** No known geologic hazards exist on the property.
- c) **Natural Features:** The site is relatively flat. With the reuse of the property there will be additional vegetation planted on the property.

- d) **Residential Traffic Report:** *The proposed reuse and redevelopment of the buildings and property will not cause traffic volumes to exceed planned capacities on local residential streets and should not create additional traffic during evening and nighttime hours on the local residential street than what existed when Holmes School was in operation.*
- e) **Traffic Generation Impact:** *The proposal is located at the intersection of a Major Urban Arterial (11th Avenue SE) and a Secondary Urban Arterial (East Center Street) roadway. The potential traffic generated by the uses should not cause the traffic volumes to exceed the capacity of the adjacent roadways. Additional traffic during evening and nighttime hours on the local roadways would be similar to the traffic generated if the building still operated as a school.*
- f) **Height Impacts:** *The proposed development occupies the entire block. The siting of the structures will not block vistas from the primary exposures of the adjacent residential dwellings. The height of the building is in character with the portion of the building proposed to be torn down as the structure built its place would be slightly lower in overall height. The other new structure would only be single story in height.*
- g) **Setbacks:** *The proposed building setback for the addition on the southeast end of the building would be similar to what currently exists along the 11th Avenue SE side of the site. Building accesses shall be modified to eliminate the proposed steps encroaching into the right-of-ways.*
- h) **Internal Site Design:** *The site layout provides adequate building separation and orientation for the building. Most of the building structure is being re-used or a new structure is replacing the structure with a similar footprint except for a single story addition along 11th Avenue SE.*
- i) **Screening and Buffering:** *An increase in the amount of landscaping on the property will occur with the reuse and redevelopment of the property. Landscaping would be provided along the westerly edge of the property to help buffer the proposed parking lot adjacent to residential dwellings. In order to lessen the impact that the proposed parking may have on the adjacent residential dwellings to the west, parking should be setback so that the first parking spot on the west side of the parking lot doesn't begin until the space aligns with the front wall of the adjacent residential dwelling. A landscape buffer, consisting of a hedgerow, should be provided along the south end of the parking lot*
- j) **Ordinance Requirements:** *Adequate amount of off-street parking is provided and a detailed landscaping plan will need to be submitted at the time the final plan is submitted for review. The first parking spaces, on the west side of the parking lot should be eliminated so that the parking starts behind the front wall of the residential dwellings on the adjacent properties. The "bus drop off" within the right-of-way of 1st Street SE shall be reduced to at least half the length that it is currently shown as on the site plan.*
- k) **General Compatibility:** *The property has been used for educational purposes for over 50 years and the use has been found to be compatible with the surrounding*

neighborhood. The intended reuse and expansion will continue the use of the property as educational in nature.

- l) **Non-Vehicular and Alternate Modes of Travel:** *The proposed development incorporates pedestrian oriented spaces and provides direct and convenient pedestrian access to the building entrance(s) from public sidewalks and parking areas. The site plan should be revised to provide bicycle parking.*

STAFF RECOMMENDATION:

Staff has reviewed this request in accordance with the applicable standards and provisions, as included in this report and finds that the proposed adaptive use of the building or site will lead to its continued preservation and improvement in an appropriate manner while retaining the integrity of the neighborhood and the new structures will be in keeping with the character of the building or site. Based upon staff review and the analysis included above, staff recommends approval of this application subject to the following conditions:

1. The site plan shall be revised to include the following:
 - Bicycle parking area shall be provided.
 - The proposed one way entrance off of 1st Street SE shall be narrowed to not more than 14 feet wide at the throat to prevent the use as two way traffic.
 - The area identified as "bus drop off" within the right-of-way of 1st Street SE shall be reduced to at least half the length that it is currently shown as and boulevard trees planted with a 35 foot spacing along the area.
 - The sidewalk along the bus drop off shall be 8 feet in wide.
 - The west row of parking shall not start until it is even with front of the residential dwelling to the west.
 - The building accesses shall be modified to eliminate the proposed steps encroaching into the right-of-ways.
 - A hedgerow shall be planted along the south end of the parking lot to help buffer the parking lot from the adjacent uses.
2. Grading & Drainage Plan approval is required prior to development, as well as, payment of any applicable Storm Water Management Plan Area Charge for any increase in impervious surface
3. The condition of curb and gutter and pedestrian facilities along the frontages of the Property will be reviewed by Public Works staff and any needed repairs and/or panel replacement shall be completed by the Owner concurrent with construction for this project.
4. The proposed development is conditioned on the City Council's approval to vacate the public right-of-way of 10th Ave. SE between East Center Street and 1st Street SE.

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5. Execution of a City-Owner Contract is required prior to construction of any public improvements to serve this project.
6. All unused water services to this property must be abandoned properly at the main in the street with the curb/valve boxes removed per the requirements of RPU.
7. Redevelopment of the Property is subject to paying SAC and WAC obligations at the rate in place at the time of redevelopment.

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REQUEST FOR COUNCIL ACTION

MEETING
DATE: 1-03-11

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-3
ITEM DESCRIPTION: Type III, Phase II Adaptive Reuse Plan R2010-026CUP by the Boys and Girls Club of Rochester/CCRR Head Start Partnership. The applicant is proposing to reuse and expand the existing educational building. The proposal involves the vacation of the 10 th Avenue SE, an building addition to the south and the development of a parking area on the 2 properties located along the west side of 10 th Avenue SE. The property is located along the south side of East Center Street, along the west side of 11 th Ave. SE and along the north side of 1 st St. SE.		PREPARED BY: Brent Svenby, Senior Planner

December 27, 2010 NOTE TO COUNCIL : The CPZL minutes and neighborhood comments are attached to the previous vacation petition hearing request.

City Planning and Zoning Commission Recommendation:

On December 8, 2010 the City Planning and Zoning Commission held a public hearing to consider the proposed adaptive reuse plan of the former Holmes School. The Commission originally held a public hearing on November 10th but continued the applications to December 8th to allow the applicant to meet with the neighborhood associations regarding some issues. The applicant has stated that they will allow for two-way traffic through the parking area as well as allowing use of the parking lot.

Mr. Jose Rivas, of Yaggy Colby Associates, address the Commission. He explained the proposal and stated that the revised plan was submitted to address the concerns of the neighborhood association, the two-way access would provide a solution to connectivity and accessibility and that ten parking spaced would be set aside in the private lot to be used by the neighborhood to replace spaces on 10th Avenue.

Representatives of the Eastside Pioneers Neighborhood Association and the Imagine East Side Leadership Council spoke.

Mr. Campion moved to recommend approval of Type III, Phase II, Adaptive Reuse Plan R2010-026CUP by Boys and Girls Club of Rochester/CCRR Head Start Partnership based on the staff recommended findings and revised conditions and that agreements for parking should not be part of the approval process but worked out between the neighborhood and applicant. Ms. Moe seconded the motion. The motion carried 7-0.

1. The site plan shall be revised to include the following:

- Bicycle parking area shall be provided.
- ~~The area identified as "bus drop-off" within the right-of-way of 1st Street SE shall be reduced to at least half the length that it is currently shown as and boulevard trees planted with a 35-foot spacing along the area.~~
- ~~The sidewalk along the bus drop off shall be 8 feet in wide.~~
- ~~The west row of parking shall not start until it is even with front of the residential dwelling to the west.~~
- ~~The building accesses shall be modified to eliminate the proposed steps encroaching into the right-of-ways.~~
- A hedgerow shall be planted along the south end of the parking lot to help buffer the parking lot from the adjacent uses.

2. Grading & Drainage Plan approval is required prior to development, as well as, payment of any applicable Storm Water Management Plan Area Charge for any increase in impervious surface

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

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3. The condition of curb and gutter and pedestrian facilities along the frontages of the Property will be reviewed by Public Works staff and any needed repairs and/or panel replacement shall be completed by the Owner concurrent with construction for this project.
4. The proposed development is conditioned on the City Council's approval to vacate the public right-of-way of 10th Ave. SE between East Center Street and 1st Street SE.
5. Execution of a City-Owner Contract is required prior to construction of any public improvements to serve this project.
6. All unused water services to this property must be abandoned properly at the main in the street with the curb/valve boxes removed per the requirements of RPU.
7. Redevelopment of the Property is subject to paying SAC and WAC obligations at the rate in place at the time of redevelopment.
8. The turning radius within the new parking lot shall accommodate both fire engines and fire ladder trucks.

Council Action Needed:

1. *If the Council wishes to proceed, it should instruct the City Attorney to prepare a resolution either approving, approving with conditions, or denying the Conditional Use Permit request based upon the criteria included in the staff report.*

Attachments:

1. Staff Report dated November 5, 2010
2. Memo dated December 3, 2010
3. Minutes of the November 10, 2010 CPZC Meeting
4. Draft Minutes of the December 8, 2010 CPZC Meeting

Distribution:

1. City Administrator
2. City Attorney: Legal Description Attached
3. Planning Department File
4. Applicant: This item will be considered some time after 7:00 pm on Monday, January 3, 2011 in the Council/Board Chambers in the Government Center at 151 4th Street SE.